

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION**

**RANDY POTTER**

**PETITIONER**

**VS.**

**CIVIL ACTION NO. 5:08cv290-DCB-MTP**

**BRUCE PEARSON, Warden**

**RESPONDENT**

**ORDER**

THIS MATTER is before the court on the Motion for Summary Judgment [13] filed by Petitioner, which the court construes as a motion for expedited consideration of his pending habeas petition [1]. Petitioner is correct that nothing has been filed in this case for several months and that the court has not yet issue its Report and Recommendation. However, the motion provides no basis for expedited treatment or for placing this case ahead of other similar cases which are under consideration. Accordingly, the matter will be decided in due course with careful consideration of the issues raised in the petition.

IT IS, THEREFORE, ORDERED that Petitioner's motion for expedited treatment of this matter [64] be, and hereby is, DENIED.

SO ORDERED AND ADJUDGED this the 7th day of August, 2009.

s/ Michael T. Parker

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United States Magistrate Judge